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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/802,004 | 03/17/2004 | Hideo Ando | 249786US2S DIV | 3317 |

22850 7590 07/13/2006

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| EXAMINER | |
|---|---|
| NGUYEN, HUY THANH | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2621 | |

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/802,004 | ANDO ET AL. | |
| | Examiner | Art Unit | |
| | HUY T. NGUYEN | 2621 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *17 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *14-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *14-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☒ Certified copies of the priority documents have been received in Application No. 09/643,985.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/17/04, 8/19/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 101*

1. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 14 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 14 being directed to information resided on a medium. Since the information do not provide functional interrelationship to the medium to control the medium or access the information on the medium, or impart to any software and hardware structural components to provide certain function that is processed by a computer, the information resided on the medium do not make them statutory/. See MPEP 2100.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saeki et al ( 6,263,155) in view of Gotoh et al (6,292,625).

Regarding claims 14-17, Saeki discloses a method and apparatus for recording and reproducing data on and from an information storage medium (Fig. 15) configured to have data recorded thereon and data reproduced therefrom by an information recording/reproducing apparatus, said data including control information and video object data, the information storage medium comprising:

a data area configured to store the video object data (Fig. 3-4, 7-13, column 5, line 65, column 6, column 7, lines 52 to column 8,line 7, columns 10-11 and 17-18) , and a plurality of error correction code blocks, wherein a predetermined number of sectors form each error correction code block, and each of said sectors has a predetermined size; and

a control information recording area configured to store said control information, the control information being configured to manage the video object data and including an AV file information table having a time map general information and time entry information , the time map general information including information indicating a address offset of a video object (Figs. 7-13, columns 10-11 and 17-18), the AV file information including a plurality of object information, each object information including information of object units of the video object data, and a plurality of object information

search pointers associated with the plurality of object information (column 17, lines 25-68), wherein:

said video object data is configured to be recorded in at least one of the object units, an object corresponding to the video object data is allocated with or corresponds to one or more of the plurality of error correction code blocks (column 5, line 65 to column 6, line 18) ,

an error correction code block address being defined in units of the error correction code block corresponds to an integer multiple of said sectors,

each object information included in said AV file information includes time map information including time map general information, one or more time entries, and the time entry indicating a playback time (column 11, lines 20-30).

Saeki fails to teach using an error correction bock address being defined in units of error correction block . Gotoh teaches apparatus for processing the AV data into units of error correction blocks and an error correction block address being defined in units of error correction blocks (column 8 lines 20-40) . It would have been obvious to one of ordinary skill in the art to modify Saeki with Gotoh by providing error correction bock address for the errors correction blocks thereby accurately accessing the AV data .

Further for claims 16 and 17, Saeki teaches means for reproducing the video object data and control data from the medium (column 19).

***Double Patenting***

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

5. Claims 14-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-17 of copending Application No. 10/801,699 in view of Saeki et al (6,263,155).

The difference between claims 14-17 of the present application and copending application is that claims 14-17 of copending Application No. 10/801,699 is that the present application recite that the time map general information further include information indicating playback time a video object that are not recited in claims 14-17 of copending Application No. 10/801,699. However, it is noted that providing the time map general information with information indicating a layback time of a video object is well known in the art as taught by Saeki (Figs. 8-13, columns 11, lines 5-30). Therefore, it would have been obvious to one of ordinary skill in the art to modify claims 14-17 of copending Application No. 10/801,699 with Saeki of the by providing time

map general information of claims 14-17 of copending Application No. 10/801,699 with information indicating a playback time of a video object in order to accurately access the data and to produce claims 14-17 of the present application .

This is a provisional obviousness-type double patenting rejection.

6. Claims 14-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-17 of copending Application No. 10/801,678 in view of Saeki et al (6,263,155).

The difference between claims 14-17 of the present application and copending application is that claims 14-17 of copending Application No. 10/801,678 is that the present application recite that the time map general information further include information indicating a playback time of a video object that are not recited in claims 14-17 of copending Application No. 10/801,678 . However, it is noted that providing the time map general information with information indicating a playback time of a video object is well known in the art as taught by Saeki (Figs. 5, 8-13, column 11,lines 5-30, . Therefore, it would have been obvious to one of ordinary skill in the art to modify claims 14-16 of copending Application No. 10/801,678 with Saeki of the by providing time map general information of claims 14-17 of copending Application No. 10/801,678 with information indicating a playback time offset of a video object in order to accurately access the data and to produce claims 14-17 of the present application .

This is a provisional obviousness-type double patenting rejection.

7. Claims 14-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-16 of copending Application No. 10/801, 700 in view of Saeki et al (6,263,155).

The difference between claims 14-17 of the present application and copending application is that claims 14-17 of copending Application No. 10/801,700 is that the present application recite that the time map general information further include information indicating a playback time of a video object that are not recited in claims 14-17 of copending Application No. 10/801,700 . However, it is noted that providing the time map general information with information indicating a playback time of a video object is well known in the art as taught by Saeki (Figs. 5, 8-13, column 11, lines 1-30). Therefore, it would have been obvious to one of ordinary skill in the art to modify claims 14-17 of copending Application No. 10801,700 with Saeki of the by providing time map general information of claims 14-17 of copending Application No. 10/801,700 with information indicating a playback time of a video object in order to accurately access the data and to produce claims 14-17 of the present application .

This is a provisional obviousness-type double patenting rejection.

8. Claims 14-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-17 of copending Application No. 10/801,701 in view of Saeki et al (6,263,155) .

The difference between claims 14-16 of the present application and copending application is that claims 14-17 of copending Application No. 10/801,701 is that the present application recite that the time map general information further include information indicating a playback time of a video object that are not recited in claims 14-17 of copending Application No. 10/801,701 . However, it is noted that providing the time map general information with information indicating a playback time of a video object is well known in the art as taught by Saeki (Figs. 8-13, column 11, lines 1-40). Therefore, it would have been obvious to one of ordinary skill in the art to modify claims 14-17 of copending Application No. 10/801,701 with Saeki of the by providing time map general information of claims 14-17 of copending Application No. 10/801,701 with information indicating a playback time of a video object in order to accurately access the data and to produce claims 14-17 of the present application .

This is a provisional obviousness-type double patenting rejection.

9. Claims 14-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-17 of copending Application No. 10/801,862 in view of Saeki et al (6,263,155) .

The difference between claims 14-17 of the present application and copending application is that claims 14-17 of copending Application No. 10/801,862 is that the present application recite that the time map general information further include information indicating a playback time of a video object that are not recited in claims

14-17 of copending Application No. 10/801,862 . However, it is noted that providing the time map general information with information indicating an address offset of a video object is well known in the art as taught by Saeki (Figs. 8-13, column 11). Therefore, it would have been obvious to one of ordinary skill in the art to modify claims 14-17 of copending Application No. 10/801,862 with Saeki of the by providing time map general information of claims 14-17 of copending Application No. 10/801,862 with information indicating a playback time of a video object in order to accurately access the data and to produce claims 14-17 of the present application .

This is a provisional obviousness-type double patenting rejection.

10. Claims 14-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-17 of copending Application No. 10/801,863 in view of Saeki et al (6,263,155).

The difference between claims 14-16 of the present application and copending application is that claims 14-17 of copending Application No. 10/801,863 is that the present application recite that the time map general information further include information indicating a playback time of a video object that are not recited in claims 14-17 of copending Application No. 10/801,863 . However, it is noted that providing the time map general information with information indicating a playback time of a video object is well known in the art as taught by Saeki (Figs. 5, 8-13, column 11). Therefore, it would have been obvious to one of ordinary skill in the art to modify claims 14-17 of

copending Application No. 10/801,863 with Saeki of the by providing time map general information of claims 14-17 of copending Application No. 10/801,863 with information indicating a playback time of a video object in order to accurately access the data and to produce claims 14-17 of the present application .

This is a provisional obviousness-type double patenting rejection.

11. Claims 14-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-18 of copending Application No. 10/801,835 in view of Saeki et al (6,263,155).

The difference between claims 14-17 of the present application and copending application is that claims 14-18 of copending Application No. 10/801,835 is that the present application recite that the time map general information further include information indicating a playback time of a video object that are not recited in claims 14-17 of copending Application No. 10/801,835 . However, it is noted that providing the time map general information with information indicating a playback time of a video object is well known in the art as taught by Saeki (Figs. 8-13, columns 10-11, 17,18). Therefore, it would have been obvious to one of ordinary skill in the art to modify claims 14-18 of copending Application No. 10/801,835 with Saeki of the by providing time map general information of claims 14-18 of copending Application No. 10/801,835 with information indicating a playback time of a video object in order to accurately access the data and to produce claims 14-17 of the present application .

This is a provisional obviousness-type double patenting rejection.

12. Claims 14-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-17 of copending Application No. 10/801,866 in view of Saeki et al (6,263,155).

The difference between claims 14-17 of the present application and copending application is that claims 14-16 of copending Application No. 10/801,866 is that the present application recite that the time map general information further include information indicating a playback time of a video object that are not recited in claims 14-17 of copending Application No. 10/801,866 . However, it is noted that providing the time map general information with information indicating a playback time of a video object is well known in the art as taught by Saeki (Figs. 8-13, columns 10-11, 17,18). Therefore, it would have been obvious to one of ordinary skill in the art to modify claims 14-17 of copending Application No. 10/801,866 with Saeki of the by providing time map general information of claims 14-17 of copending Application No. 10/801,866 with information indicating the playback time of a video object in order to accurately access the data and to produce claims 14-17 of the present application .

This is a provisional obviousness-type double patenting rejection.

13. Claims 14-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-17 of copending Application No. 10/801,865 in view of Saeki et al (6,263,155).

The difference between claims 14-17 of the present application and copending application is that claims 14-17 of copending Application No. 10/802,004 is that the present application recite that the time map general information further include information indicating a playback time of a video object that are not recited in claims 14-17 of copending Application No. 10/802,004 . However, it is noted that providing the time map general information with information indicating a playback time of a video object is well known in the art as taught by Saeki (Figs. 8-13, columns 10-11, 17,18). Therefore, it would have been obvious to one of ordinary skill in the art to modify claims 14-17 of copending Application No. 10/802,004 with Saeki of the by providing time map general information of claims 14-17 of copending Application No. 10/802,004 with information indicating a playback time of a video object in order to accurately access the data and to produce claims 14-17 of the present application .

This is a provisional obviousness-type double patenting rejection.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T. NGUYEN whose telephone number is (571) 272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N

HUY NGUYEN
PRIMARY EXAMINER